

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ASSURED GUARANTY MUNICIPAL CORP. :  
f/k/a FINANCIAL SECURITY ASSURANCE :  
INC., :

Plaintiff, :

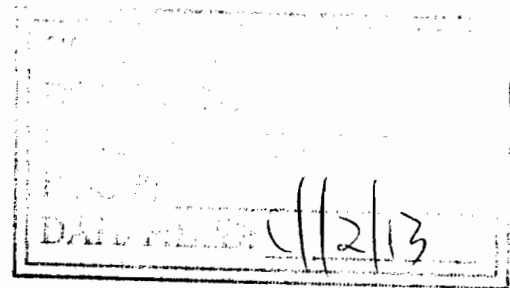
-v- :

FLAGSTAR BANK, FSB; FLAGSTAR CAPITAL :  
MARKETS CORP.; and FLAGSTAR ABS, LLC, :

Defendants. :

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JED S. RAKOFF, U.S.D.J.



11 Civ. 2375 (JSR)

FINAL JUDGMENT

In its Findings of Fact and Conclusions of Law dated February 5, 2013, see ECF No. 135 (S.D.N.Y. filed Feb. 6, 2013), the Court found that defendants Flagstar Bank, FSB, Flagstar Capital Markets Corporation, and Flagstar ABS, LLC ("Flagstar") breached contracts with plaintiff Assured Guaranteed Municipal Corp. ("Assured") relating to the Flagstar Home Equity Loan Trust 2005-1 and the Flagstar Home Equity Loan Trust 2006-2. Accordingly, the Court determined that Assured is entitled to an award of damages, contractual interest, attorney's fees and costs.

Having received further briefing from the parties on the issue of damages and the form of the judgment, the Court hereby awards Assured updated damages in the amount of \$90,656,552.83, as reflected in the Trustee's reports dated February 25, 2013,

with pre-judgment interest in the amount of \$15,860,822.53, for a total of \$106,517,375.36. The Court will defer ruling on Assured's request for attorneys' fees and costs until the resolution of any appeal to the Second Circuit from this Judgment, or, if there is no appeal, thirty days after the expiration of the time to appeal. Interest on fees and costs will, however, run from the date of this Judgment.

The Court will further elaborate its reasons for this Final Judgment in a forthcoming Memorandum.

SO ORDERED.

Dated: New York, NY  
April 1, 2013

  
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JED S. RAKOFF, U.S.D.J.